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Letter dated 15 September 2009 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council

Upon instruction from my Government, I have the honour to transmit herewith a letter from the Minister for Foreign Affairs of the Syrian Arab Republic, Mr. Walid Al-Moualem, addressed to the Secretary-General and the President of the Security Council (see annex), as well as three CDs.*

I would highly appreciate if the present letter and its annex were circulated as a document of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

* The CDs are on file with the Secretariat and are available for consultation.

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Annex to the letter dated 15 September 2009 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council

[Original: Arabic]

Syrian Arab Republic
Ministry of Foreign Affairs
Damascus, 8 September 2009

Sir,

Pursuant to Security Council resolution 1595 (2005), an international independent investigation Commission was established with a view to investigating the assassination of former Lebanese Prime Minister Rafiq Hariri. Detlev Mehlis of Germany was appointed as the first Commissioner and requested to produce a report on the outcome of the investigation.

On 29 April 2009, the Pre-Trial Judge of the Special Tribunal for Lebanon, Daniel Fransen, ordered the unconditional release of the four Lebanese officers, namely, General Jamil El Sayed, General Ali El Hajj, Brigadier General Raymond Azar and Brigadier General Mostafa Hamdan, who had been detained without charge in Lebanese prisons for nearly four years.

We subsequently followed in the media the statements that were made by one of those officers, General Jamil El Sayed, including in televised interviews screened on 1, 15 and 27 May 2009 by the Lebanese Al-Manar and OTV television stations and Al-Jazeera of Qatar. Those statements made it clear that the goal of the International Independent Investigation Commission (IIIC) led by Detlev Mehlis and his assistant, Gerhard Lehmann, had been, right from the start, to implicate the Syrian Arab Republic at any cost in the assassination of former Prime Minister Rafiq Hariri. They attempted to induce El Sayed to persuade Syria to identify an official victim who would admit to the crime and subsequently be discovered to have committed suicide or killed in a road accident, whereupon a settlement would be reached with Syria. When El Sayed refused, he was imprisoned for four years. We will not even begin to discuss the Commission's acceptance of perjured evidence and other practices that were aimed, as El Sayed said, at proving a predetermined charge, whereby the Commission was used to target Syria politically.

We are transmitting to you herewith copies of those interviews on CD. Our Permanent Representative to the United Nations has, in years past, brought the attention of certain Security Council members to a number of written communications that were addressed by El Sayed to the Secretary-General and certain Security Council members during the period of his political incarceration, in which he referred to the infractions committed by Commissioner Mehlis and his assistant, Lehmann, and the grave events that took place during the investigation, the aim of which was to target Syria.

The Syrian Arab Republic greatly regrets that misuse of power by the Commissioner of IIIC, which was operating under the aegis of the United Nations Secretary-General, and believes that the Secretary-General should investigate the matter and the above-mentioned serious events whereby Syria was targeted through a United Nations body.

Syria expects to be informed that measures will be taken forthwith in this regard, and hopes to be informed of the outcome of the enquiry with all possible expedition, in order to establish the political and legal requirements and ensure that the dignity and credibility of the international organization are preserved.

Syria reserves its right to take legal proceedings with regard to Detlev Mehlis, the former Commissioner of IIIC, and his assistant Gerhard Lehmann with regard to the injury they did to Syria by using perjured evidence and departing from the rules and principles of investigation; their propaganda against Syria; and their attempts to implicate it every way, all of which flagrantly conflict with the proper impartiality and aims of an investigation and with the principles of the United Nations and of the Security Council, pursuant to a resolution of which the Commission was established.

Accept, Sir, the assu[illegible]s of my highest consideration.

(*Signed*) Walid **Muallem**
Minister for Foreign Affairs of the Syrian Arab Republic